

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA

**FILED**  
MAY 13 2008  
*[Signature]*  
CLERK

**CENTRAL DIVISION**

\*\*\*\*\*  
\*  
UNITED STATES OF AMERICA, \* CR. 07-30091  
\*  
Plaintiff, \*  
\*  
-VS- \* REPORT AND RECOMMENDATION  
\* FOR DISPOSITION OF DEFENDANT'S  
PHILLIP J. LITTLE HOOP, \* MOTION TO SUPPRESS  
\*  
Defendant. \*  
\*\*\*\*\*

Defendant, Phillip J. Little Hoop, has filed a Motion to Suppress, Docket No. 33. Because Defendant's Motion is a dispositive one, this Court is only authorized to determine the same on a report and recommendation basis. See 28 U.S.C. §636(b)(1). Based on the findings, authorities and legal discussion made on the record at the May 12, 2008 hearing, the Court hereby

RECOMMENDS that Defendant's Motion be denied in all respects.

Dated this 12th day of May, 2008, at Pierre, South Dakota.

**BY THE COURT:**

*[Signature of Mark A. Moreno]*

**MARK A. MORENO**  
**UNITED STATES MAGISTRATE JUDGE**

**ATTEST:**

**JOSEPH HAAS, CLERK**  
BY: *[Signature of Joseph Haas]*  
Deputy

(SEAL)

### **NOTICE**

**Failure to file written objections to the within and foregoing Report and Recommendations for Disposition within ten (10) days from the date of service shall bar an aggrieved party from attacking such Report and Recommendations before the assigned United States District Judge. See 28 U.S.C. § 636(b)(1).**